

### **REMARKS/ARGUMENTS**

Request for Continued Examination:

The applicant respectfully requests continued examination of the above-indicated application as per 37 CFR 1.114.

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In the Final Office Action of May 13, 2009, all Claims 1-25 are rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,812,789 to Diaz et al. (hereinafter as "*Diaz*") in view of U.S. Patent No. 5,752,266 to Miyawaki et al. (hereinafter as "*Miyawaki*"). Applicant submits a request for continued examination (RCE) and adds Claim 26. Claim 26 at least can find support in Fig.2, Fig.4, paragraphs [0012], [0022]-[0032], [0034] of the publication of this Application. No new matter is added.

Reconsideration is respectfully requested with the following reasons.

15 **Applicant's Remarks to "Response to Arguments" of the Final Office Action**

In the Final Office Action, the Examiner disagrees with Applicant's previous response of January 22, 2009 mainly because *Miyawaki* discloses conversion between NTSC and PAL, i.e. decoding a bitstream from one format and then encoding the bitstream into the other format and there are different characteristics for the two formats. Thus, it is natural to conclude that encoding in *Miyawaki* must reference certain characteristic of a decoded format.

Applicant respectfully submits that such observation does not lead the conclusion that *Miyawaki*, when being combined with *Diaz*, suggests every feature of claimed inventions of this Application. It is clear that both independent claims recite features that the encoding scheme for encoding a bitstream is selected by reference to an encoding scheme found during decoding another bitstream, i.e. skipping the third encoding scheme that consumes greater memory bandwidth of a shared memory. Neither *Miyawaki* nor *Diaz* teaches such feature. Even *Miyawaki* teaches certain characteristics of decoding being applied during encoding, as indicated in the Final Office Action, that is not related to skip certain encoding scheme by checking memory

bandwidth used thereof.

Therefore, together with the remarks of Applicant's previous response, Applicant respectfully submits that *Miyawaki* and *Diaz* fails to suggest all features of independent Claims 1 and 10 and their dependent claims which add more features to  
5 their depending claims.

Accordingly, Applicant respectfully requests withdrawal of the rejections of 35U.S.C. §103 to Claims 1-25.

### CONCLUSION

5 All of the stated grounds of rejection have been properly traversed or rendered moot. Applicant therefore requests that the Examiner reconsiders all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition of allowance.

Prompt and favorable considerations of this Amendment and Reply are respectfully requested.

10 Sincerely yours,

/Winston Hsu/

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20 D.C. is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan.)